

JANUARY 20, 2016

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Wednesday, January 20, 2016.

**ATTENDANCE**

**Present:** Chairman Trevor M. Fuller and Commissioners  
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,  
Bill James, Vilma D. Leake, Jim Puckett,  
Matthew Ridenhour and Ella B. Scarborough  
County Manager Dena R. Diorio  
County Attorney Marvin A. Bethune  
Clerk to the Board Janice S. Paige

**Absent:** None

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**-INFORMAL SESSION-**

***The meeting was called to order by Chairman Fuller, after which the matters below were addressed.***

**REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) 16-3047, 16-3048, 16-3056, 16-3058 and 16-3073 to be removed from Consent and voted upon separately.

**STAFF BRIEFINGS - NONE**

**CLOSED SESSION**

**16-3055 CONSULT WITH ATTORNEY**

It was noted that there was no Consult with Attorney matter to be discussed in Closed Session.

***The Board dined and talked in general. There were no formal matters to be discussed.***

***Commissioner Clarke left the meeting and was absent for the remainder of the meeting.***

***Commissioner Clarke left to attend the Charlotte Regional Transportation Planning Organization meeting. He serves as the Board's representative.***

***The Board then proceeded to the Meeting Chamber for the remainder of the meeting.***

**-FORMAL SESSION-**

*Chairman Fuller called this portion of the meeting to order which was followed by introductions, invocation by Chairman Fuller, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.*

**AWARDS/RECOGNITION - NONE**

**PUBLIC APPEARANCE**

**16-3053 PUBLIC APPEARANCE**

No one appeared to speak during the Public Appearance portion of the agenda.

**APPOINTMENTS**

**16-3070 NOMINATIONS/APPOINTMENTS**

**ADULT CARE HOME ADVISORY COMMITTEE**

Motion was made by Commissioner James, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Brent Clevenger to the Adult Care Home Community Advisory Committee for a one-year term expiring January 20, 2017.

*Note: He replaces Patricia Fletcher who resigned.*

**AIR QUALITY COMMISSION**

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Jeff Baker to the Air Quality Commission to fill an unexpired term, expiring August 31, 2016 as a General Public representative.

*Note: He replaces Keith Long, who resigned because of other time commitments.*

**BUILDING DEVELOPMENT COMMISSION**

Motion was made by Commissioner James, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Harold Hester to the Building Development Commission as a Charlotte Plumbing, Heating and Cooling Contractors Association Plumbing representative and Scott Shelton as a Charlotte Plumbing, Heating and Cooling Contractors Association HVAC representative, for three-year terms expiring July 31, 2019.

**HUMAN RESOURCES ADVISORY COMMITTEE**

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and

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Scarborough voting yes, to reappoint Jeremy Stephenson to the Human Resources Advisory Committee for a three-year term expiring June 30, 2019.

***Commissioners Puckett and Cotham left the dais and were away until noted in the minutes.***

#### **TRANSIT SERVICES ADVISORY COMMITTEE**

Motion was made by Commissioner James, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to reappoint Edward Jernigan to the Transit Services Advisory Committee for a three-year term expiring February 3, 2019.

#### **WOMEN'S ADVISORY BOARD**

Motion was made by Commissioner James, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint NouaChi Vang to the Women's Advisory Board for a three-year term expiring November 30, 2019.

*Note: She replaces Mariana Nunez who had served two terms.*

#### **PUBLIC HEARINGS – NONE**

#### **ADVISORY COMMITTEE REPORTS**

##### **16-3062      AIR QUALITY COMMISSION ANNUAL REPORT**

The Board received as information the Annual Report of the Air Quality Commission (AQC).

Leslie Rhodes, Director - LUESA Air Quality, AQC Chairman Peter McGrath, and AQC Vice-Chairman Marcus Hackler gave the report.

***A copy of the report is on file with the Clerk to the Board.***

#### **Comments**

Commissioner Leake commented on the various codes associated with the type of air quality days in 2015. She noted that this was valuable information, especially for persons with upper respiratory issues. She asked was that information shared with the School System. *It was noted that school systems received the air quality forecast that was issued by the NC Division of Air Quality. It was noted also that the County tweets air quality forecast information out and that citizens could also sign up on the County's website to receive forecasts by email or text.*

Commissioner Dunlap asked about the removal of coal ash and if the removal impacted air quality. *Director Rhodes said she could not address the status of the removal of coal ash in the community, because the County was not involved with that. Director Rhodes said the County did receive information regarding how the removal would be handled. Director Rhodes said the information received indicated that the ash would be kept wet, which meant there would not be an impact on air quality.*

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Commissioner Dunlap asked about a facility in Matthews that at one time was emitting out ash. *Director Rhodes said Commissioner Dunlap was probably referring to a medical waste incinerator and if so, the facility was now closed.*

Commissioner Puckett asked whether the County ever relocates air monitoring stations or was that something regulated by the federal government. *Director Rhodes said monitors were relocated but only if it's necessary. She said it was valuable to have permanent monitors in place because it was important to have that historical data. She noted the placement of a new monitor located off of Remount Road, which was a federally required monitor.*

Commissioner Puckett commented on a monitoring station that was located near Carowinds. *Director Rhodes said the monitor near Carowinds had been removed, but that it was the lowest monitor in the County and was well below the standard. She said it was removed because the County's lease on the property where it was located expired. Director Rhodes said monitors were not portable, which was why the County tries to identify sites that were owned and operated by the County, if possible, for the placement of monitors.*

Chairman Fuller thanked the presenters for the report.

### **MANAGER'S REPORT**

County Manager Diorio called upon Teresa McDow, MWSBE/Economic Development Coordinator to address an outreach effort being sponsored by the County for subcontractors that may be interested in doing business with the County.

Ms. McDow noted the following:

- An information session would be held on January 28, 2016 at the Hal Marshall Services Center from 4:00 p.m. – 7:00 p.m. in the Auditorium.
- Notification of the information session was communicated through various methods.
- The upcoming projects that subcontractors would be informed about were: The Morrison Library, Medic Headquarters, and the Valerie C. Woodard Center.
- Subcontractors would have the opportunity to meet the CM@Risk and the construction managers for these projects.
- This was an outreach where subcontractors, for the first time, would have the ability to network, hear about upcoming opportunities, the trade packages, and get pre-qualified for the upcoming projects.

### **Comments**

Commissioner Leake thanked Ms. McDow for her work, not only with the upcoming outreach, but also her work with the Small Business Consortium, which was a group initiated by Commissioner Leake several years ago.

Commissioner Cotham asked whether minority contractors could come together as one for bidding purposes. *The response was yes, joint venturing was allowed.*

Commissioner Cotham asked Ms. McDow to comment on what she felt minority contractors in the community would say if asked about the County's efforts. *Ms. McDow said the response from minority contractors would be that they felt "good" about what the County was doing. Ms. McDow said the County was out serving in the community; that minority contractors were aware of opportunities, and if assistance was needed in preparing the required documents for certification that assistance was there.*

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Commissioner Puckett said with respect to the term “minority” contractors, one thing that frustrated him was that it left out a lot of companies where there was a majority/minority employer. He noted his own company as an example of a business owned by someone White, whose employees were all African American. He said because of the owner, the employees don’t get the opportunity to work on certain projects.

Commissioner Puckett acknowledged that he could not and would not bid on a County project because that would be a conflict of interest because of his position as a commissioner.

Commissioner Puckett said he would love to see, at some point, the opportunity for companies that had an overwhelming majority of minority employees to be able to get certified as a minority contractor, unless it was already possible and he wasn’t aware of it. *Ms. McDow said the County’s policy was Minority/Women/Small Business Enterprise (MWSBE) and that the SBE would encompass those white male companies. Ms. McDow said if a company fell within the guidelines for a small business, as recommended by the Small Business Administration, then the County could do business with them. Ms. McDow said the County’s policy was all inclusive.*

Commissioner Scarborough thanked Ms. McDow for her work and in particular, her work with the Board’s Economic Development Committee.

Chairman Fuller thanked Ms. McDow for her report and all of her work, as well.

#### **DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS**

##### **16-3069      DEPARTMENT MANAGEMENT MONTHLY REPORTS**

The Board received as information monthly departmental management reports for January 2016.

*Note: The County Manager has requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.*

***A copy of the reports is on file with the Clerk to the Board.***

#### **STAFF REPORTS & REQUESTS - NONE**

#### **COUNTY COMMISSIONERS REPORTS & REQUESTS**

##### **16-3066      CHARLOTTE AREA FUND, INC. COMMUNITY SERVICES BLOCK GRANT APPLICATION**

The Board received information regarding the Charlotte Area Fund, Inc. Community Services Block Grant.

Karen Brackett Browning, Executive Director was present and addressed the application. She was accompanied by Charlotte Area Fund board member Stephen Kearney.

*Note: The Charlotte Area Fund (CAF) is a private, non-profit corporation and the designated community action agency serving Mecklenburg County. The agency has been providing services to the economic disadvantaged since 1963 through a variety of programs promoting self-improvement and self-sufficiency. CAF is governed by an 18-member Board of Directors*

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*representing public officials, the private sector and low-income citizens of the community. Current services funded by the Community Services Block Grant includes employment counseling, vocational skills training, computer training, GED preparation/basic skills upgrade, job development and placement, income management/budget counseling, nutrition assistance, and limited crisis intervention. CAF receives grant funding from a combination of Federal and State resources for agency activities. Each year, CAF provides the County an opportunity to comment on its proposed work program for the coming year, prior to submission of its grant application. The Board's representatives on the CAF are Commissioners Leake and Clarke, both of whom have selected citizens to serve on their behalf, which is permissible under the CAF By-laws. Abbie Butler and Reginald Godette are the Board's representatives. The application was received on December 23, 2015 and distributed to Commissioners for review. The Board was invited to make comments; however, none were required. To date, no comments had been received. The County does not provide any funding to CAF.*

#### Comments

Commissioners Leake and Scarborough thanked the CAF for its work in the community.

Commissioner Dunlap asked whether clients had to do anything in exchange for the receipt of funds that they received. *CAF Executive Director Browning addressed the stipend process.*

Commissioner Cotham expressed thanks to the CAF for its work in the community.

Chairman Fuller thanked the CAF for its work in the community and noted the importance of their work as it related to providing economic opportunity the citizenry of Mecklenburg County.

Chairman Fuller asked if support services were provided to individuals that received training for a specific job, so that once they obtain a job, they're able to maintain that job. *CAF Executive Director Browning said yes and elaborated on what those support services were.*

Commissioner Leake asked was it possible for someone to receive services from the CAF, as well as, other agencies. *CAF Executive Director Browning said yes and elaborated on how the CAF worked in partnership with other agencies.*

Commissioner Scarborough asked about the CAF's work with individuals that had arrest records and if they assisted with getting those matters expunged. *CAF Executive Director Browning said they assist to the extent possible and that they often refer those individuals to the Center for Community Transition.*

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to acknowledge receipt of and support of the submission of the Charlotte Area Fund, Inc. Community Services Block Grant Application.

#### **CONSENT ITEMS**

**Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):**

#### **16-3045 FLEET AUCTION REVENUE**

Recognize vehicle auction revenue of \$216,612.44 and appropriate to the Fleet Reserve Fund.

**16-3050 GRANT APPLICATION -- CHARLOTTE OBSERVER SUMMER CAMP FUND GRANT (PARK AND RECREATION)**

Approve a grant application of up to \$27,540 for a Charlotte Observer Summer Camp Grant and if awarded, recognize, receive and appropriate such funds for the grant period.

*Note: The Charlotte Observer Summer Camp Fund awards grants to summer camps to provide scholarships to low-income children in grades K-12 to experience the outdoors during the summer months. Grants must be used to expand the opportunities available to low-income campers. The goals of The Charlotte Observer Summer Camp Fund are to help children develop a love of the outdoors, encourage continued learning throughout the summer, and expand children's visions of what could be. The Charlotte Observer Summer Camp Fund is grounded in the belief that low-income youth should have the opportunity to enjoy a summer outdoor camp experience that mirrors enrichment programs accessed by their middle- and upper- income peers. This grant will allow Park and Recreation staff to provide thirty-six (36) 100% scholarships to low-income children for 4 or 5 weeks of Nature Based Summer Camp. Summer camp location will be based out of Sugaw Creek Recreation Center.*

**16-3052 GRANT APPLICATION -- NATIONAL RECREATION AND PARK ASSOCIATION (NRPA) - "PARKS BUILD COMMUNITY" GRANT**

Approve a grant application for \$20,000 for a NRPA - "Parks Build Community" Grant and if awarded, recognize, receive and appropriate such funds for the duration of the project.

*Note: The Park and Recreation Department wishes to apply for the "Parks Build Community" grant through the NRPA. The amount of the grant provided to the Grantee shall be \$20,000. Six (6) project proposals with a focus area of: Connecting Youth and Nature or Healthy Living and Access to Sports, will be submitted. A panel comprised of representatives from NRPA, Disney, ABC and ESPN will narrow the list to three potential projects. The project for which the funds will be awarded will then be determined by the results of a public on-line voting process through the "Parks Build Community" website managed by the NRPA. The six proposed projects to be submitted for consideration by the Park and Recreation Department are:*

- 1. Hoskins Park Fitness Zone Workout Equipment*
- 2. Naomi Drenan Recreation Center Beginner/Urban Skate Park Equipment*
- 3. Berewick, Hickory Grove and Wallace Pruitt Recreation Centers to add nature and garden education to Fun Fitness preschool program*
- 4. Installation of educational gardens and development/implementation of age appropriate program curriculums focusing on ozone air quality, pollinator species and edible vegetables for each recreation, nature and senior center in Mecklenburg County*
- 5. McDowell Natural play area equipment and educational features*
- 6. McAlpine Creek Park Cross Country exercise equipment replacement*

**16-3054 MINUTES**

Approve Minutes of Regular meeting held January 5, 2016.

**16-3057 AD VALOREM TAX ADVERTISEMENT**

Order the advertisement of delinquent 2015 real estate and personal property taxes.

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*Note: The advertisement is a notification to taxpayers of outstanding tax balances. As of January 4, 2016, \$318,048,314.68 of the \$953,302,394.59 levy remains unpaid. In accordance with NCGS 105-369(a), the governing board must order the Tax Collector to advertise the tax liens. The Tax Collector is ordered not to advertise tax bills included in approved payment arrangements as governed by Senate Bill 159 ratified by the General Assembly and Governor of North Carolina.*

**16-3059      APPOINTMENT OF REVIEW OFFICERS**

Amend Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2 to add Dillon Lackey, J. Travis Johnson, S. Chad Hall, Frank H. Akers, III as Review Officers and delete David Nelson.

**AMENDMENT TO RESOLUTION DESIGNATING REVIEW OFFICERS  
TO REVIEW EACH MAP AND PLAT RECORDED IN THE  
REGISTER OF DEEDS OFFICE PURSUANT TO N.C.G.S. 47-30.2**

**WHEREAS**, on September 16, 1997, the Mecklenburg County Board of Commissioners adopted a resolution entitled, "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2"; **and**

**WHEREAS**, the Resolution has been amended multiple times to accommodate additions and deletions; **and**

**WHEREAS**, the Mecklenburg County Board of Commissioners now desires to amend the Resolution to make additional modifications. **Now, therefore,**

**BE IT RESOLVED** by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows:

1. Dillon Lackey, J. Travis Johnson, S. Chad Hall, Frank H. Akers, III are hereby designated as Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add these names.
2. David Nelson shall be deleted from the Resolution adopted on April 3, 2012.

**Resolution recorded in full in Minute/Ordinance Book \_\_\_\_\_, Document # \_\_\_\_\_.**

**16-3060      MOORESVILLE RADIO SERVICE INTERLOCAL AGREEMENT**

Adopt a Resolution approving an Interlocal Agreement with Mooresville for Public Safety Radio System Interoperability and Infrastructure Services and authorize the County Manager to execute all documents necessary to implement Agreement.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS  
RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT FOR RADIO  
SERVICE BETWEEN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY AND THE TOWN OF  
MOORESVILLE**

**WHEREAS**, under North Carolina General Statutes §160A-461 and §153A-445, as amended, cities and counties are authorized to enter into interlocal cooperation undertakings with other local governments for the joint exercise of any power, function, public enterprise, right, privilege, or immunity of local governments in North Carolina; and



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**WHEREAS**, the City of Charlotte, Town of Mooresville, and Mecklenburg County now desire to enter into an Interlocal Agreement for Radio Service, a copy of which is attached to this resolution (the “Agreement”); and

**WHEREAS**, the purpose of the Agreement is to ensure that the public safety agencies of the three units of local government have the communications infrastructure and regional integration to respond in a coordinated manner to local and regional emergencies; and to authorize their respective City, Town and County Managers to amend the Agreement to incorporate any future changes that the parties may agree to from time to time regarding the radio service or support provided under the Agreement, so long as such changes do not impose any costs on the County or City that are not subject to reimbursement by the Town of Mooresville.

**NOW, THEREFORE, BE IT RESOLVED** by the Mecklenburg County Board of Commissioners that the Agreement is hereby approved, that the County Manager is hereby authorized to execute such Agreement in substantially the form attached to this Resolution, that this Resolution shall be read into the minutes, and that the County Manager is authorized to amend the Agreement to incorporate any future changes that the Mecklenburg County Manager, the Mooresville Town Manager and Charlotte City Manager may agree to from time to time regarding the radio service or support provided under the Agreement, so long as such changes do not impose any costs on the County or City that are not subject to reimbursement by the Town of Mooresville.

**Resolution recorded in full in Minute/Ordinance Book \_\_\_\_\_, Document # \_\_\_\_\_.**

**16-3061      TAX REFUNDS**

1) Approve refunds in the amount of \$10,896.99 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor

*Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.*

2) Approve refunds in the amount of \$2,010,407.55 and interest as statutorily required to be paid as requested by the County Assessor

*Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$243,007.49.*

***A list of the tax refund recipients is on file with the Clerk to the Board.***

**16-3064      FY16 & FY17 SECTION 103 CLEAN AIR ACT GRANT APPLICATION**

Approve the submission of a two-year extension of the County’s CAA Section 103, Special Purpose federal grant application in the amount of \$371,668 and upon award of grant, recognize, receive and appropriate the CAA Section 103 grant award; and authorize the carry forward of any unspent funds to subsequent years.

*Note: Mecklenburg County’s particulate matter (PM 2.5) network was established in 1997 and continues to be 100% funded with federal funds from a Clean Air Act (CAA), Section 103 grant through the U.S. Environmental Protection Agency. The funding pays for two full-time air monitoring specialists, operations, maintenance and replacement of monitoring equipment. Mecklenburg County Air Quality operates three fine particulate matter monitoring sites year-round at Garinger High School, Montclair Elementary School and Sunset Hills Golf Course. The data collected represent concentrations over a wide area and determine Mecklenburg County’s compliance with national ambient air quality standards.*

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

16-3047      DONATION OF SURPLUS EQUIPMENT (LUESA)

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the list of equipment (Attachment 1) as surplus, and authorize the County Manager to execute any documents necessary to donate the items to the University of North Carolina at Charlotte and Charlotte Mecklenburg Schools.

Attachment 1 Surplus Equipment

Make/Model	Description	Serial #	County ID #	Purchase Price
Automated Water Quality Monitoring Equipment				
ISCO 6712	Stormwater Sampler	203F01071	67746	\$3,377
ISCO 6712	Stormwater Sampler	203F01079	27755	\$3,377
ISCO 6712	Stormwater Sampler	203F01068	67752	\$3,377
ISCO 6712	Stormwater Sampler	203F01081	67754	\$3,377
ISCO 6712	Stormwater Sampler	202D00652	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	203F01072	67748	\$3,377
ISCO 6712	Stormwater Sampler	203F01073	67747	\$3,377
ISCO 6712	Stormwater Sampler	203F01069	67745	\$3,377
ISCO 6712	Stormwater Sampler	202E00356	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	203F01080	67756	\$3,377
ISCO 6712	Stormwater Sampler	202E00357	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	203D00267	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	203D01287	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	203F01076	67749	\$3,377
ISCO 6712	Stormwater Sampler	203F01070	67753	\$3,377
ISCO 6712	Stormwater Sampler	202E00357	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	202E00359	No Tag	\$3,377
ISCO 6712	Stormwater Sampler	203F01067	67750	\$3,377
ISCO 6712	Stormwater Sampler	203F01060	67752	\$3,377
ISCO 6712	Stormwater Sampler	203F01693	67754	\$3,377
ISCO 730	Bubbler Flow Module	204K00429	No Tag	\$1,767
ISCO 730	Bubbler Flow Module	205E00309	No Tag	\$1,767
ISCO 730	Bubbler Flow Module	209G00128	No Tag	\$1,767
ISCO 730	Bubbler Flow Module	205E01452	No Tag	\$1,767
ISCO 730	Bubbler Flow Module	205C01908	No Tag	\$1,767
ISCO 750	Area Velocity	202E00055	No Tag	\$3,085

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	Flow Modules			
ISCO 750	Area Velocity	203E01893	No Tag	\$3,085
	Flow Modules			
ISCO 750	Area Velocity	203E01891	No Tag	\$3,085
	Flow Modules			
ISCO 750	Area Velocity	203E01900	No Tag	\$3,085
	Flow Modules			
ISCO 750	Area Velocity	203E01493	No Tag	\$3,085
	Flow Modules			
ISCO 750	Area Velocity	205C01248	No Tag	\$3,085
	Flow Modules			
				<b>\$94,885</b>

### Total Monitoring Equipment Purchase Price

## GPS Units

Trimble GeoXM	GPS Unit	4717446147	No Tag	\$2,500
Trimble GeoXM	GPS Unit	4721455422	No Tag	\$2,500
Trimble GeoXM	GPS Unit	4717444525	No Tag	\$2,500
Trimble Juno SC	GPS Unit	40000111400820	No Tag	\$900

Total GPS Unit Purchase Price	\$8,400
Total Equipment Purchase Price	\$103,285

*Note: Beginning in FY2006, EPA mandated changes in sampling protocol requiring that automated water quality monitoring equipment in use since FY1996 be replaced with new equipment. In FY2013, the use of handheld GPS units was discontinued with the purchase of I-Phones. Attachment 1 contains information regarding this surplus equipment, which is currently operational but is not of use to the Land Use and Environmental Services Agency (LUESA). Since this equipment is very specialized, it would be difficult to sell and would likely bring little financial return. Therefore, LUESA requests approval from the Board to donate this equipment to the University of North Carolina at Charlotte (UNCC) and Charlotte Mecklenburg Schools (CMS) in support of their environmental education programs. The Department of Geography and Earth Sciences at UNCC has indicated they would like to use the automated water quality monitoring equipment in their water quality research. The 6<sup>th</sup> and 7<sup>th</sup> grade classes at CMS's Sedgefield Montessori Middle School has indicated they would like to use the GPS Units to collect spatial data related to water quality and other environmental topics.*

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Cotham removed the item from Consent to inquire about the value of the equipment.

LUESA Director Ebenezer Gujjarlapudi noted that the equipment's value was almost \$0.00 because the equipment was over ten years old and no longer met EPA requirements.

**16-3048 GRANT APPLICATION -- OFFICE ON VIOLENCE AGAINST WOMEN**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of renewal grant application for up to \$600,000 over three years to the U. S. Department of Justice Office on Violence Against Women to support operations of the Supervised Visitation Safe Exchange Center and provision of civil legal assistance for victims of domestic violence; and recognize, receive and appropriate funds for the amounts awarded for the duration of the grant period.

*Note: The Supervised Visitation and Safe Exchange Center, which opened in November 2014, provides a secure environment for the exchange or supervised visits between children and their*

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*parents when there has been domestic violence in the home. The Center, which was created via a partnership between Mecklenburg County, the 26th Judicial District, and Safe Alliance, increases safety for adult and child victims of domestic violence while decreasing opportunities for further abuse before, during and after services. On average 25 families are served monthly. The grant application requires a second area of focus to promote a more coordinated response to helping families that have experienced domestic violence. The partners have identified increased civil legal assistance in custody cases as a significant need.*

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Scarborough noted that Mecklenburg County had “zero tolerance” for domestic violence.

#### **16-3056 SCHOOL ADMINISTRATIVE FACILITIES CAPITAL PROJECT ORDINANCE**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to amend School Administrative Facilities 2014 Capital Project Ordinance.

*Note: This capital project ordinance will provide for the remaining amount due the Board of Education for the Education Center property based on the agreed upon price of \$16,330,000. This acquisition is part of the Brooklyn Village/ First Ward land swaps. The County has previously provided \$10 million toward this price and now provides the remainder, \$6.33 million. These are County funds and as such are not from capital funds previously allocated for school purposes. The Board of Education has vacated the Education Center and this payment will also serve as notice of the lease termination under the 2007 agreement.*

#### **MECKLENBURG COUNTY, NORTH CAROLINA SCHOOL ADMINISTRATIVE FACILITIES 2014 CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of the February 4, 2014 *School Administrative Facilities 2014* capital project ordinance:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 20<sup>th</sup> DAY OF JANUARY 2016:

Section I. That for the purpose of providing funds, together with any other available funds, for the relocation of school administrative facilities project including the acquisition and construction or renovation of new facilities, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$16,330,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the acquisition and construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from Pay-As-You-Go/Other County Funds  
(including but not limited to COPs interest) \$16,330,000

Section III. That the Financial Services Director is authorized to transfer funds from the General Fund or Special Revenue Fund to provide for the Capital Projects Fund.

***Ordinance recorded in full in Minute/Ordinance Book \_\_\_\_\_, Document # \_\_\_\_\_.***

Commissioner Leake removed this item from Consent for more public awareness and clarity.

Prior to the above vote, County Manager Diorio addressed this item.

Commissioner Leake noted that this was the second time the County had paid for this property.

Commissioner Scarborough asked about the status of the former Education Center building. *County Manager Diorio said an RFP was out and that developers would be submitting in February proposals for the redevelopment of the property, as well as, the Walton Plaza property.*

Commissioner Dunlap asked about the use of the proceeds by CMS. *County Manager Diorio said the Board of Education would have to use the funds for other capital projects.*

Commissioner Dunlap asked how the Board could be assured the funds would be used for capital. *County Manager Diorio said a request would be made to ask the Board of Education what the funds would be used for.*

Commissioner James said the solution to this problem was to recommend that the legislature fix a 70 year old law, so that this doesn't have to be done this way. Commissioner James said if you buy and build a building once that should be sufficient.

Commissioner James said his preference would be for the County to have title to the buildings. He said if the County had title to the buildings then the County could lease the building to CMS or Charter schools. He said by doing so, the County wouldn't have to pay for a building twice. He said if CMS didn't want the building, then the County could sell the building and/or reuse the building.

County Attorney Bethune noted that this process was not only in state law, but was a provision in the state constitution as well, which would require a change in the constitution.

Chairman Fuller said this issue was one that had been recognized and discussed by the NC Association of County Commissioners as well, but that there were consequences with changing the current system.

#### **16-3058 NC CLEAN WATER MANAGEMENT TRUST FUND GRANT APPLICATION**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

1. Authorize the County Manager to submit a stream restoration grant application to the North Carolina Clean Water Management Trust Fund (CWMTF) up to an amount of \$400,000.
2. Authorize the Chairman to execute the Authorization to File Application and enter into a Grant Contract with CWMTF.
3. Upon receipt of grant, recognize, receive and appropriate up to \$400,000 in funds from the CWMTF.

Commissioner Leake removed this item from Consent for more public awareness.

Prior to the above vote, Commissioner Leake noted the current water problem in Flint, Michigan. She asked what was being done in Mecklenburg County to ensure the problem in Flint, Michigan did not occur in Mecklenburg County.

LUESA Director Ebenezer Gujjarlapudi said the grant associated with the agenda item was for stream restoration. He said the water source for the Charlotte area was Lake Norman and that the Charlotte Water department was responsible for pumping the water, treating the water and supplying it. He said based on the sampling data, there was no concern about lead or any such contamination in Lake Norman. He said the issue in Flint, Michigan was kind of different in that they moved from where they were getting their water to another water source, the Flint River, which was not treated well, so the iron content in the water was too high.

**16-3073 GRANT APPLICATION -- GOVERNOR'S CRIME COMMISSION (CJS)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of a grant application in the amount of \$121,040 from the Governor's Crime Commission and if awarded, recognize, receive and appropriate the grant funds for the grant period; and if awarded, approve the creation of one case manager position.

*Note: The purpose of this grant funding will be to expand Criminal Justice Services (CJS) Reentry Services programming to provide case management support for juveniles aging out of the juvenile system and at highest risk of entering the adult correctional system. This funding also includes support services for up to 50 clients including transportation, educational and vocational support. The grant funding would be for FY17 and FY18, requiring a 25% County funding match, or \$20,173 each fiscal year. CJS will redirect current level funding to provide this match amount each fiscal year.*

Commissioner Leake removed this item from Consent for more public awareness and clarity.

Prior to the above vote, Hope Marshall with Criminal Justice Services addressed the grant application in response to Commissioner Leake's inquiry.

Commissioner Leake asked, per law, was the age for being considered an adult 18. *Ms. Marshall said in the N.C. criminal justice system you're considered an adult at the age of 16.*

Commissioner Leake said she wanted to know who was responsible for overseeing the funds and what type programs there were for reaching the youth. Commissioner Leake said she wanted to know the success rate of this program also.

Ms. Marshall said the County didn't have this program to date, but had worked with one juvenile. Ms. Marshall commented on the County's work with that juvenile.

Commissioner Scarborough asked about expungement, which was addressed. Commissioner Scarborough said she would be interested in knowing information about the expungement rate.

Commissioner Cotham noted that expungement was often difficult. She suggested that perhaps at some point the Board could receive information regarding the process.

Chairman Fuller said expungement was a complicated process and that it would be good to have information regarding it.

County Manager Diorio said this could be a topic for a future Budget Public Policy Meeting.

**Prior to Adjournment**

Commissioner Ridenhour suggested consideration be given to addressing Consent items

differently. He said he was not criticizing the Consent items that had been pulled, but that in light of the amount of time spent discussing these items, perhaps they should not have been placed under Consent.

Chairman Fuller said perhaps consideration needed to be given to how the agenda was currently formatted. He said that was something the Board had discussed in the past.

Commissioner Leake said the Board was doing the business of the County and that the public needed to be aware of these issues. Commissioner Leake said the amount of time spent discussing an issue should not be a concern.

### **16-3061 TAX REFUNDS**

Commissioner Puckett noted for the record, having voted in the affirmative on Item 16-3061 Tax Refunds, which was a Consent item. He requested that the Board reconsider this matter to allow him to be excused from voting on the matter to avoid a conflict of interest.

Commissioner Puckett noted for the record that he was one of the recipients of a tax refund in connection with this specific agenda item.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reconsider agenda item 16-3061 Tax Refunds.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to excuse Commissioner Puckett from voting on agenda item 16-3061 to avoid a conflict of interest.

#### ***Commissioner Puckett left the dais.***

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to:

1) Approve refunds in the amount of \$10,896.99 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor

*Note: 1. This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.*

2) Approve refunds in the amount of \$2,010,407.55 and interest as statutorily required to be paid as requested by the County Assessor

*Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$243,007.49.*

***A list of the tax refund recipients is on file with the Clerk to the Board.***

***Commissioner Puckett returned to the dais.***

**JANUARY 20, 2016**

**ADJOURNMENT**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:37 p.m.

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Janice S. Paige, Clerk

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Trevor M. Fuller, Chairman